

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

-----X

CHECKMATE.COM, INC., a Delaware corporation,

-against-

25-CV-3181 (JMF)

ARJUN VASAN, an Individual

-----X

DECLARATION OF ARJUN VASAN IN SUPPORT  
OF MOTION TO QUASH SERVICE OF PROCESS

I, Arjun Vasan, declare as follows:

1. I am the Defendant in this action. I submit this declaration in support of my Motion to Quash Service of Process. I have personal knowledge of the facts stated herein and, if called to testify, could and would competently do so.
2. I am a resident of Cerritos, California. I have primarily lived and worked in California throughout the entire period relevant to this litigation, including during my employment with Checkmate.com, Inc.
3. I have not lived in, conducted business in, or maintained property in New York. I have not directed any conduct giving rise to this litigation toward the State of New York.
4. On January 28, 2025 I filed a Complaint in the Central District of California (“California Action”, amended February 20), alleging employment related claims. True and correct excerpts of the summons, complaint and proof of service are attached as **Exhibit A**.
5. On February 14, 2025, Plaintiff filed the action before this Court (“New York Action”). True and correct excerpts of the summons, complaint and affidavit of which are attached hereto as **Exhibit B**.

6. On or around March 9, 2025, I became aware that Plaintiff attempted service at my family's California residence using a summons that falsely identified my residence as "Sugar Land, Texas." This is not my address and never has been. That address appears to belong to a completely unrelated individual who shares my name.
7. I have never resided in Sugar Land, Texas, nor have I authorized anyone to use that address on my behalf. Plaintiff had my correct California address on file and had used it in prior correspondence. Plaintiff also had my brother's Midland, Texas address where I stayed for two months during my employment. It chose to use neither of these.
8. A true and correct excerpt of the Merger Agreement, which lists my correct California address as my official address for Service of Process is attached hereto as **Exhibit C**.
9. In a Request for Judicial Notice (RJN) in the California Action, I describe a simple and reproducible web search exercise which demonstrates that the Sugar Land address belongs to an entirely unrelated PhD student and researcher at the University of Texas.
10. A true and correct copy of the RJN and its Exhibit D of screenshots of the reproducible web search exercise are attached hereto as **Exhibit D**.
11. Plaintiff attempted a second service on March 13, 2025, delivering papers to my father at our family home. This summons also incorrectly listed the same Texas address.
12. I have reviewed the affidavit of service filed by Plaintiff on March 7, 2025. To my understanding, Plaintiff did not conduct proper due diligence to effect personal service under New York CPLR § 308 before resorting to alternate methods.
13. To date, I have not received proper service in accordance with Federal Rule of Civil Procedure 4(e)(1) or CPLR § 308. The errors and omissions in the summons and the service attempts have prevented lawful jurisdiction from attaching in this Court.
14. Plaintiff continues to use this false address in federal court filings to advance a theory of Texas residency and evade California worker protections.

*I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.*

Executed this 21st day of April 2025

at Cerritos, California.

*Arjun Vasan*

---

**Arjun Vasan**

Defendant Pro Se

12615 193<sup>rd</sup> Street

Cerritos, Ca 90703

562-900-6541

arjun.vasan@gmail.com

### **Exhibit List – Motion to Quash Service of Process**

- **Exhibit A** – *Summons, Complaint and Proof of Service Filed in Central District of California.* (only 1<sup>st</sup> page of Complaint is attached for brevity)

Filed January 28, 2025, amended February 20, 2025. Establishes Defendant's California residency, work history, and first-filed employment claims under California law.

- **Exhibit B** – *Summons, Complaint (1<sup>st</sup> page), and Affidavit of Service in New York Action*  
Filed by Plaintiff in New York County Supreme Court. Demonstrates use of a false "Sugar Land, Texas" address for Defendant and procedural defects in service under CPLR § 308.

- **Exhibit C** – *Excerpt from Merger Agreement showing § 9.11 and Listing Cerritos, California as Defendant's Official Address for Service of Process*

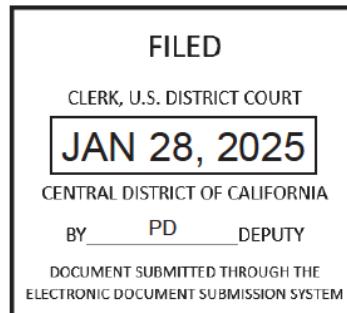
Demonstrates Plaintiff's prior and contractual knowledge of Defendant's true legal address, undermining any claim of confusion or good-faith error.

- **Exhibit D** – *Request for Judicial Notice (from California Action) Demonstrating Sugar Land Address Belongs to Third Party, with reproducible web search results.*

Includes public search results identifying the actual resident at the Texas address, confirming Plaintiff's misidentification of Defendant.

# EXHIBIT A

1 Arjun Vasan  
2 arjun.vasan@gmail.com  
3 12615 193rd Street  
4 Cerritos, CA 90703  
5 562-900-6541  
6 Plaintiff in Pro Per



**PAID**

**NO CV-30**

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

11 **Arjun Vasan,**

12 Plaintiff,

13 vs.

14 **Checkmate.com, Inc.,**  
15 (dba "Checkmate"),

16 Defendant.

Case No.: 2:25-cv-00765-MEMF (JPRx)

**COMPLAINT FOR WRONGFUL  
TERMINATION, RETALIATION,  
FRAUDULENT INDUCEMENT  
BREACH OF CONTRACT,  
VIOLATION OF THE FAMILY  
AND MEDICAL LEAVE ACT,  
AND RELATED CLAIMS**

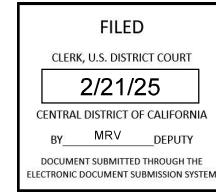
**JURY TRIAL DEMANDED**

24 **I. INTRODUCTION**

25 **1. Nature of the Action**

26 Plaintiff brings this action for fraud, wrongful termination, violation of federal and  
27 state medical leave laws, and breach of contract, arising out of a merger that was  
28 induced by falsehood and coercion; and followed by retaliation in employment.

1 Arjun Vasan  
2 arjun.vasan@gmail.com  
3 12615 193rd Street  
4 Cerritos, CA 90703  
5 562-900-6541  
6 Plaintiff in Pro Per  
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UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

Arjun Vasan,  
Plaintiff,  
vs.  
Checkmate.com, Inc.,  
(dba "Checkmate"),  
Defendant.

Case No.: 2:25-cv-00765-MEMF-JPR

**COMPLAINT FOR WRONGFUL  
TERMINATION, RETALIATION,  
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AND RELATED CLAIMS**

**JURY TRIAL DEMANDED**

**I. INTRODUCTION**

**1. Nature of the Action**

Plaintiff brings this action for fraud, wrongful termination, violation of federal and state medical leave laws, and breach of contract, arising out of a merger that was induced by falsehood and coercion; and followed by retaliation in employment.

UNITED STATES DISTRICT COURT  
for the

Central District of California 

## **SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* Checkmate.com Inc.  
c/o COGENCY GLOBAL INC  
850 NEW BURTON ROAD SUITE 201  
Dover, DE 19904

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Arjun Vasan  
12615 193rd Street  
Cerritos, CA 90703

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 03/03/2025

CLERK OF COURT

*Clark or Deputy Clerk*

*Signature of Clerk or Deputy Clerk*



AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:25-cv-00765-MEMF-JPR

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

I returned the summons unexecuted because \_\_\_\_\_; or

Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State, Bar number, and address): <b>N/A (Individual)</b> 12615 193rd Street		<b>FOR COURT USE ONLY</b>  <div style="border: 1px solid black; padding: 10px; text-align: center;"><b>FILED</b> CLERK, U.S. DISTRICT COURT <b>3/6/2025</b> CENTRAL DISTRICT OF CALIFORNIA BY RYO DEPUTY DOCUMENT SUBMITTED THROUGH THE ELECTRONIC DOCUMENT SUBMISSION SYSTEM</div>
TELEPHONE NO.: <b>562-900-6541</b>	FAX NO. (Optional):	
E-MAIL ADDRESS (Optional): <b>Arjun Vasan</b>		
<b>United States District Court, Central District of California</b> STREET ADDRESS: <b>350 W 1st Street Suite 4311</b> MAILING ADDRESS: <b>350 W 1st Street Suite 4311</b> CITY AND ZIP CODE: <b>Los Angeles 90012</b> BRANCH NAME: <b>First Street Federal Courthouse</b>		
PLAINTIFF/PETITIONER: <b>Arjun Vasan</b>		CASE NUMBER:  <b>2:25-cv-00765-MEMF-JPR</b>
DEFENDANT/RESPONDENT: <b>Checkmate.com, Inc.</b>		
<b>PROOF OF SERVICE OF SUMMONS</b>		Ref. No. or File No.:  <b>2:25-cv-00765-MEMF-JPR</b>

1. At the time of service I was at least 18 years of age and not a party to this action.

2. I served copies of (*specify documents*):  
**SUMMONS; COMPLAINT; NOTICE TO COUNSEL; NOTICE OF ASSIGNMENT**

3. a. Party served (*specify name of party as shown on documents served*):  
**Checkmate.com Inc.**

b.  Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b whom substituted service was made) (*specify name and relationship to the party named in item 3a*):  
**Teresa Grandison, Admin Asst**

4. Address where the party was served:  
**850 NEW BURTON ROAD, 201, Dover, DE 19904**

5. I served the party (*check proper box*)

a.  **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (*date*): **03/05/2025** at (*time*): **10:44 AM**

b.  **by substituted service.** On (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ I left the documents listed in item 2 with or in the presence of (*name and title or relationship to person indicated in item 3*):

(1)  **(business)** a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.

(2)  **(home)** a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.

(3)  **(physical address unknown)** a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.

(4)  I thereafter caused to be mailed (by first class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc § 415.20). Documents were mailed on (*date*): \_\_\_\_\_ from (*city*): \_\_\_\_\_ or  a declaration of mailing is attached.

(5)  I attach a **declaration of diligence** stating actions taken first to attempt personal service.

**BY FAX**

PLAINTIFF/PETITIONER: Arjun Vasan	CASE NUMBER:
DEFENDANT/RESPONDENT: Checkmate.com, Inc.	2:25-cv-00765-MEMF-JPR

c.  **by mail and acknowledgement of receipt of service.** I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid,

(1) on (date):  (2) from (city):

(3)  with two copies of the *Notice and Acknowledgement of Receipt* and a postage-paid return envelope addressed to me. (*Attach completed Notice and Acknowledgement of Receipt.*) (Code Civ. Proc., § 415.30)

(4)  to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40)

d.  **by other means (specify means of service and authorizing code section):**

Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a.  as an individual defendant.

b.  as the person sued under the fictitious name of (specify):

c.  as occupant.

d.  On behalf of (specify) **Checkmate.com Inc. c/o COGENCY GLOBAL INC**  
under the following Code of Civil Procedure section:

<input checked="" type="checkbox"/> 416.10 (corporation)	<input type="checkbox"/> 415.95 (business organization, form unknown)
<input type="checkbox"/> 416.20 (defunct corporation)	<input type="checkbox"/> 416.60 (minor)
<input type="checkbox"/> 416.30 (joint stock company/association)	<input type="checkbox"/> 416.70 (ward or conservatee)
<input type="checkbox"/> 416.40 (association or partnership)	<input type="checkbox"/> 416.90 (authorized person)
<input type="checkbox"/> 416.50 (public entity)	<input type="checkbox"/> 415.46 (occupant)
	<input type="checkbox"/> other:

7. Person who served papers

a. Name: **Earline Cobbs**

b. Address: **1148 Pulaski Highway, 131, Bear, DE 19701**

c. Telephone number: **302-345-9977**

d. The fee for service was: **\$ 210.00**

e. I am:

(1)  not a registered California process server.

(2)  exempt from registration under Business and Professions Code section 22350(b).

(3)  registered California process server:

(i)  owner  employee  independent contractor. For:

(ii)  Registration No.:  Registration #:

(iii)  County:  County:

BY FAX



**PROOF OF SERVICE OF SUMMONS**

REF: 2:25-cv-00765-MEMF-JPR

Tracking #: 0160832431



8.  I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9.  I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: 03/05/2025

**Earline Cobbs**

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)



(SIGNATURE)



# EXHIBIT B

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----  
CHECKMATE.COM, INC., a Delaware  
corporation,

Plaintiff,

-against-

ARJUN VASAN, an individual,

Defendant.

X

: INDEX NO. \_\_\_\_\_

: Date Purchased: \_\_\_\_\_

: Plaintiff designates New York County as the  
place of trial.

: The basis of the venue is CPLR § 301.

: SUMMONS

X

TO: ARJUN VASAN  
15 Greenlaw Street  
Sugar Land, TX 77479

**YOU ARE HEREBY SUMMONED** to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's attorney within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Plaintiff designates New York County as the place of trial. The basis of venue in New York County is CPLR § 501.

Dated: February 14, 2025

K&L GATES LLP

By: /s/ Zachary Jones

Zachary Jones, Bar No. 5878178  
zach.jones@klgates.com  
Thomas Warns, Bar No. 5389747  
tom.warns@klgates.com  
New York, NY 10022  
Telephone: 212-536-3900

Ryan Q. Keech (*pro hac vice* forthcoming)  
Rebecca I. Makitalo (*pro hac vice*  
forthcoming)  
10100 Santa Monica Blvd., 8th Fl.  
Los Angeles, CA 90067  
Telephone: 310-552-5000

*Attorneys for Plaintiff*  
CHECKMATE.COM, INC.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

----- X  
CHECKMATE.COM, INC., a Delaware :  
corporation, : INDEX NO.  
: Plaintiff,  
: :  
: -against-  
: :  
: ARJUN VASAN, an individual,  
: :  
: Defendant.  
: :  
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**COMPLAINT**

Plaintiff Checkmate.com Inc. (“Checkmate” or “Plaintiff”), by and through its attorneys at K&L Gates LLP, brings this Complaint against Arjun Vasan (“Vasan” or “Defendant”) and alleges the following:

**NATURE OF THE ACTION**

1.     ***“No matter what.”*** These three words, written by Defendant Arjun Vasan in January 2025, exemplify Defendant’s scam giving rise to this action. Defendant apparently believed he could ride a wave of investor interest in artificial intelligence (“AI”) to peddle a set of what would turn out to be recycled, cobbled-together software code for much, much more than it was worth. For Defendant, the best part about the scheme was that if his extensive duplicity was ever discovered, it wouldn’t matter: he would get himself paid ***“no matter what,”*** ride off into the sunset with millions of dollars in ill-gotten gains, and leave his victims holding the bag.

2.     Plaintiff became Vasan’s unsuspecting victim in April 2024, when Vasan sought to convince Checkmate to pay millions of dollars to acquire VoiceBite Corporation (“VoiceBite”) – the corporate vehicle for his scam – while falsely claiming that he (and thus VoiceBite) had

NYSCEF DOC. NO. 3

RECEIVED NYSCEF: 03/07/2025

Attorney:

ZACHARY JONES (SBN 5878178)

K&amp;L GATES

599 Lexington Avenue

New York NY 10022



SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NEW YORK

CHECKMATE.COM, INC., A DELAWARE CORPORATION

Plaintiff

ARJUN VASAN, AN INDIVIDUAL

Defendant

Index / case #: 650913/2025

## AFFIDAVIT OF SERVICE

LOS ANGELES County, State of: CALIFORNIA

JOHN GRIEGO

being sworn,

says: Deponent is not a party herein, is over the age of 18 years and resides in the State of: CALIFORNIA

On 03/4/25 at 3:27 am/pm at: 12615 193RD STREET CERRITOS CA 90703

Deponent served the within: NOTICE OF ELECTRONIC FILING, SUMMONS, COMPLAINT, REQUEST FOR  
JUDICIAL INTERVENTION

On which were set forth the Index No., herein, and date of filing

On: ARJUN VASAN, AN INDIVIDUAL  
(herein after called the recipient) therein named.

Individual By delivering a true copy of each to said recipient personally; Deponent knew the person so served to be the person described in as said recipient therein

Suitable Age person By delivering thereat a true copy of each to: \_\_\_\_\_  
a person of suitable age and discretion. Said premises is recipients [ ] Actual Place of Residence  
[ ] Actual Place of Business within the State.

Affixing to Door By affixing a true copy of each to the door of said premises which is recipients [ ] Actual Place of Residence  
[ ] Actual Place of Business, within the State  
Deponent was unable with due diligence to find recipient or person of suitable age and discretion thereat having called there 2/27/25 @ 8:30PM; 2/28/25 @ 8:45AM; 3/01/25 @ 11:00AM

Corporation or Partnership By delivering thereat a true copy of each to:  
personally. Deponent knew said corporation / partnership so served to be the corporation / partnership described in said aforementioned document as said recipient and knew said individual to be \_\_\_\_\_ thereof.

Mailing Within 20 days of such delivery, or affixing, deponent enclosed a copy of same in a postpaid envelope properly addressed to recipient at recipients last known [ ] Actual Place of Residence [ ] Actual Place of Business  
at 12615 193RD STREET CERRITOS CA 90703  
and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "personal and confidential" and did not indicate on the outside, thereof, by return address or otherwise that the communication was from an attorney or concerned an action against the defendant.

Description [ ] Male [ ] White skin [ ] Black hair [ ] 14-20 Yrs [ ] Under 5' [ ] Under 100 Lbs  
[ ] Female [ ] Black skin [ ] Brown hair [ ] 21-35 Yrs [ ] 5'0"-5'3" [ ] 100-130 Lbs  
[ ] Yellow skin [ ] Gray hair [ ] 36-50 Yrs [ ] 5'4"-5'8" [ ] 131-160 Lbs  
[ ] Brown skin [ ] Blonde hair [ ] 51-65 Yrs [ ] 5'9"-6'0" [ ] 161-200 Lbs  
[ ] Red skin [ ] Red hair [ ] Over 65 Yrs [ ] Over 6' [ ] Over 200 Lbs

Other Identifying Features \_\_\_\_\_

Military Service I asked the person spoken to whether recipient was in active military service of the United States or the State of New York in any capacity whatever and received a negative reply. The source of my information and the grounds of my belief are the conversations and observations above narrated.

Subpoena Fee Tendered in the amount of \_\_\_\_\_

\_\_\_\_\_

Sworn to before me on SEE ATTACHED JURAT


  
Signature of Process Server
  
John Griego

# **EXHIBIT C**

Affiliate of Purchaser. Subject to the preceding sentence, this Agreement will apply to, be binding in all respects upon and inure to the benefit of the successors and permitted assigns of the parties.

Section 9.10 Parties in Interest. Except for the provisions of Section 8, none of the provisions of this Agreement is intended to provide any rights or remedies to any Person other than the parties hereto and their respective successors and assigns (if any).

Section 9.11 Notices. All notices, consents, waivers and other communications required or permitted by this Agreement will be in writing and will be deemed given to a party when (a) delivered to the appropriate address by hand or by nationally recognized overnight courier service (costs prepaid); or (b) sent by facsimile or e-mail with confirmation of transmission by the transmitting equipment confirmed with a copy delivered as provided in clause (a), in each case to the following addresses, facsimile numbers or e-mail addresses and marked to the attention of the person (by name or title) designated below (or to such other address, facsimile number, e-mail address or person as a party may designate by notice to the other parties); provided that with respect to notices deliverable to the Holder Representative, such notices shall be delivered solely via email or facsimile:

**Company (before the Closing):**

VoiceBite Corporation  
1149 Hollyhead Lane  
Cupertino, California 95014  
Attention: Robert Nessler, Chief Executive Officer  
E-mail address: [robert@voicebite.ai](mailto:robert@voicebite.ai)

**Any Stockholder:**

To the address set forth on the Stockholder's signature page hereto.

**Holder Representative (on its own behalf and for the benefit of the stockholders of the Company):**

Robert Nessler  
1149 Hollyhead Lane  
Cupertino, California 95014  
E-mail address: [robert@voicebite.ai](mailto:robert@voicebite.ai)

**Purchaser and Merger Sub:**

Checkmate.com Inc.  
1113 York Ave, #36E  
New York, NY 10065  
Attn: Vishal Agarwal  
Email: [vishal@itsacheckmate.com](mailto:vishal@itsacheckmate.com)

with a mandatory copy to (which copy will not constitute notice):

DJL Corporate Law  
17349 Parkside Court  
Monte Sereno, CA 95030  
Attention: Todd Murtha

Email: todd@djlcplaw.com

Section 9.12 Enforcement of Agreement. The parties acknowledge and agree that Purchaser and Merger Sub would be irreparably damaged if any of the provisions of this Agreement are not performed in accordance with their specific terms and that any breach of this Agreement by the Company could not be adequately compensated in all cases by monetary damages alone. Accordingly, in addition to any other right or remedy to which Purchaser or Merger Sub may be entitled, at law or in equity, it will be entitled to enforce any provision of this Agreement by a decree of specific performance and temporary, preliminary and permanent injunctive relief to prevent breaches or threatened breaches of any of the provisions of this Agreement, without posting any bond or other undertaking.

Section 9.13 Severability. If any provision of this Agreement is held invalid or unenforceable by any court of competent jurisdiction, the other provisions of this Agreement will remain in full force and effect. Any provision of this Agreement held invalid or unenforceable only in part or degree will remain in full force and effect to the extent not held invalid or unenforceable.

Section 9.14 Time of Essence. With regard to all dates and time periods set forth or referred to in this Agreement, time is of the essence.

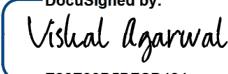
Section 9.15 Schedules and Exhibits. The Schedules and Exhibits (including the Company Disclosure Schedule) are hereby incorporated into this Agreement and are hereby made a part hereof as if set out in full herein. Each disclosure set forth in the Company Disclosure Schedule is identified by reference to, or has been grouped under a heading referring to, a specific individual section or subsection of this Agreement and relates only to such section or subsection; provided, however, that notwithstanding the foregoing, any matter disclosed in a Section of the Company Disclosure Schedule will be deemed to be disclosed in any Section contained in the Company Disclosure Schedule, to the extent that it is reasonably apparent from such disclosure that such disclosure is applicable to such other Section.

\* \* \*

The parties hereto have caused this Agreement to be executed and delivered as of the date first set forth above.

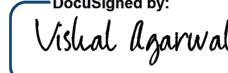
PURCHASER:

**CHECKMATE.COM INC.**

DocuSigned by:  
By:   
Name: Vishal Agarwal  
Title: \_\_\_\_\_

MERGER SUB:

**VOICEBITE MERGER SUB, INC.**

DocuSigned by:  
By:   
Name: Vishal Agarwal  
Title: \_\_\_\_\_

COMPANY:

**VOICEBITE CORPORATION**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

HOLDER REPRESENTATIVE:

**ROBERT NESSLER**

SIGNATURE PAGE TO AGREEMENT AND PLAN OF MERGER

The parties hereto have caused this Agreement to be executed and delivered as of the date first set forth above.

PURCHASER:

**CHECKMATE.COM INC.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

MERGER SUB:

**VOICEBITE MERGER SUB, INC.**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

COMPANY:

**VOICEBITE CORPORATION**



By: boxSIGN 4PPYL963-1VW6X652  
Name: Robert Nessler  
Title: CEO

HOLDER REPRESENTATIVE:



**ROBERT NESSLER**

SIGNATURE PAGE TO AGREEMENT AND PLAN OF MERGER

The parties hereto have caused this Agreement to be executed and delivered as of the date first set forth above.

**STOCKHOLDERS:**



boxSIGN 4PPYL963-1VW6X652

**ROBERT NESSLER**

Address: 1149 Hollyhead Lane  
Cupertino CA, 95014  
Email Address: [rob@voicebite.ai](mailto:rob@voicebite.ai)



boxSIGN 1R7VP2L6-1VW6X652

**ARJUN VASAN**

Address: 12615 193rd St  
Cerritos, CA 90703  
Email Address: [arj@voicebite.ai](mailto:arj@voicebite.ai)



boxSIGN 4L2X3LXQ-1VW6X652

**CHRISTOPHER LAM**

Address: 9 Lamay Crescent  
Toronto, Ontario, M1X 1J2, Canada  
Email Address: [chris@voicebite.ai](mailto:chris@voicebite.ai)



boxSIGN 469QL2Q2-1VW6X652

**ISAMU AOKI**

Address: 502 Morse St  
San Jose CA 95126  
Email Address: [sam@voicebite.ai](mailto:sam@voicebite.ai)

**PAUL JUSTIN GARCIA**

Address:

Email Address:

SIGNATURE PAGE TO AGREEMENT AND PLAN OF MERGER

# EXHIBIT D

## Exhibit D - Request for Judicial Notice

1 Arjun Vasan  
2 arjun.vasan@gmail.com  
3 12615 193rd Street  
4 Cerritos, CA 90703  
5 562-900-6541  
6 Plaintiff in Pro Per

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**Arjun Vasan,**  
Plaintiff,  
vs.  
**Checkmate.com, Inc.,**  
(dba “Checkmate”),  
Defendant.

Case No.: 2:25-cv-00765-MEMF-JPR

**REQUEST FOR JUDICIAL NOTICE  
IN SUPPORT OF PLAINTIFF'S  
OPPOSITION TO DEFENDANT'S  
MOTION TO DISMISS OR  
TRANSFER VENUE**

[Filed concurrently with Declaration of Arjun Vasan, Declaration of Latha Vasan, Opposition to Defendant's Motion to Dismiss or Transfer Venue, [Proposed] Order]

**TO THIS HONORABLE COURT, ALL PARTIES OF RECORD, AND THEIR ATTORNEYS:**

Plaintiff Arjun Vasan ("Plaintiff") respectfully requests that this Court take judicial notice of the following documents and information pursuant to Federal Rule of Evidence 201 in support of Plaintiff's Opposition to Defendant's Motion to Dismiss or Transfer Venue.

## 1. Michael Bell's SEC Filings Demonstrating California Residency

## Exhibit D - Request for Judicial Notice

1 Plaintiff requests notice of the following filings demonstrating that Michael Bell,  
2 Checkmate's Chief of Strategy, is a California resident who has conducted business in California  
3 for decades. The Court may take judicial notice of SEC filings as public records available on the  
4 SEC's EDGAR database, the accuracy of which cannot reasonably be questioned.

- 5 • Form 3 filed with the Securities and Exchange Commission, listing Michael Bell's  
6 address in Manhattan Beach, California, a true and correct copy of which is attached as  
7 **Exhibit E**. The given address is "1028 9th Street, Manhattan Beach, CA 90266."
- 8 • SEC filing showing Michael Bell's professional history and ties to Southern California, a  
9 true and correct copy of which is also included in **Exhibit E**. This document states that  
10 "For the past twenty-five years, Michael Bell has served as CEO/President/COO in early-  
11 stage tech startups and public company roles in and around Southern California."
- 12 • For further verification of his identify, a true and correct screenshot of his public  
13 LinkedIn profile is also included in Exhibit E.

### 14 2. VoiceBite Corporation/Indemnification Notice of Direct Claim

15 Plaintiff requests judicial notice of the Notice of Direct Claim sent by Defendant to  
16 VoiceBite shareholders on January 29, 2025, a true and correct copy of which is attached as  
17 **Exhibit F**. The Court may take notice of this document as it is a legal notice referenced in  
18 Plaintiff's Complaint (¶¶ 50-52) and Opposition, and its authenticity is not in dispute. This  
19 document is not offered for the truth of the matters asserted therein, but to show Defendant's  
20 litigation positions and contradictions with its current representations to this Court.

- 21 • Claiming \$5 million in damages while seeking to withhold \$1,681,815 from the  
22 California-based VoiceBite team
- 23 • Attempting to forfeit promised compensation including \$1,350,000 in retention bonuses
- 24 • Addressing team members at their California addresses, including Robert Nessler at his  
25 Cupertino, California address

### 26 3. Google Search Results for "Arjun Vasan" "Arjun Vasan Sugar Land", "Arjun 27 Vasan Cerritos" and "Arjun Vasan VoiceBite".

## Exhibit D - Request for Judicial Notice

1 Plaintiff requests judicial notice of search results showing that an unrelated individual  
2 named "Arjun B. Vasan" resides at the Sugar Land, Texas address listed in Defendant's New York  
3 Summons, true and correct copies of which are attached as **Exhibit D**. The first page results for  
4 four search terms are included in the Exhibit. The Court may take judicial notice of the existence  
5 of these search results, not for the truth of their content, but to demonstrate that publicly  
6 available information contradicts Defendant's representations regarding Plaintiff's residence.  
7 Courts have taken judicial notice of similar search results. See, e.g., *Gent v. CUNA Mut. Ins. Soc'y*, 611 F.3d 79, 84 n.5 (1st Cir. 2010) (taking judicial notice of Google search results).

- 9 • "Arjun Vasan" - Showing three individuals in the United States, inclusive of Plaintiff,  
10 who share his name, approximate age and educational attainment.
- 11 • "Arjun Vasan Cerritos" - Adding Plaintiff's correct city of residence immediately surfaces  
12 Plaintiff's actual identity as a founder of VoiceBite and employee of Checkmate.
- 13 • "Arjun Vasan VoiceBite" - Adding VoiceBite surfaces the same individual—Plaintiff.
- 14 • "Arjun Vasan Sugar Land" - Adding the address listed in Defendant's New York  
15 Summons surfaces an entirely unrelated Research Assistant at UTHealth Houston and  
16 PhD Candidate, with different family connections than Plaintiff.

### 17 4. Fathom.video Meeting Summary

18 Plaintiff requests judicial notice of a Fathom.video meeting summary dated November  
19 14, 2024, at 8:13 AM, a true and correct copy of which is attached as **Exhibit I**. The Court may  
20 take judicial notice of this document not for the truth of all matters asserted therein, but for its  
21 existence and timing of the meeting, its participants and the topics discussed. See *Spy Phone*  
22 *Labs LLC v. Google Inc.*, 2016 WL 6025469, at \*1 n.1 (N.D. Cal. Oct. 14, 2016) (taking judicial  
23 notice of existence of documents without accepting the truth of their contents). This AI-generated  
24 summary from Defendant's own account shows, sent inadvertently to Plaintiff's email, shows:

- 25 • The meeting occurred at 8:13 AM on Nov 14, 2024, nearly two hours before the 9:56 AM  
26 email, referenced by Defendant in it's Motion to assert Plaintiff's "resignation".
- 27 • The stated meeting purpose was "To inform Arjun Vasan of his immediate termination"
- 28 • The summary explicitly states "Arjun Vasan terminated effective immediately"

## Exhibit D - Request for Judicial Notice

- The participants are Amy Brown, Vishal Agarwal, Michael Bell and Plaintiff.

## 5. Letter from K&L Gates Confirms Plaintiff Lacked Counsel During Merger

Plaintiff requests judicial notice of a letter dated February 21, 2025, from Charles M. Tea III, Deputy General Counsel of K&L Gates LLP, to Plaintiff, a true and correct copy of which is attached as **Exhibit G**. This letter was in response to Plaintiff's draft complaint to the California State Bar (referenced in the letter but not included here) regarding ethics concerns with K&L Gates' representation. The Court may take judicial notice of this letter not for the truth of all matters asserted therein but for its contradiction of assertions made in Defendant's Motion and Declaration of Vishal Agarwal regarding Plaintiff's representation status. This letter states:

- With regards to the merger period: “Any pre-closing communications you and others had with counsel for VoiceBite belonged to VoiceBite, which is now owned by our client Checkmate, as is any privilege that previously belonged to VoiceBite.”
- With regards to the current dispute. “In spite of our Firm's repeated urging that you retain counsel to represent you .. you have thus far declined to do so, choosing instead to represent yourself pro se.”

For the foregoing reasons, Plaintiff respectfully requests that the Court take judicial notice of the above-referenced documents and information in connection with Plaintiff's Opposition to Defendant's Motion to Dismiss or Transfer Venue.

Dated: **Tuesday, April 8, 2025**

Respectfully Submitted,

John Vassan

Arjun Vasan

Plaintiff In Pro Per

## Exhibit D - Google Results for Arjun Vasan

Google arjun vasan

AI Mode All Images News Videos Short videos Shopping More Tools

LinkedIn · Arjun Vasan  
1K+ followers

Arjun Vasan - Deputy Director, US Treasury

Washington, District of Columbia, United States · Deputy Director, International Affairs · U.S. Department of the Treasury  
Deputy Director, U.S. Treasury · Experience: U.S. Department of the Treasury · Education: Harvard University, John F. Kennedy School of Government ...

Images

Arjun Vasan - Deputy Director... LinkedIn Arjun Vasan - Checkmate | Li... LinkedIn Arjun Vasan - Research Assis... LinkedIn

About | VoiceBite LinkedIn Arjun Vasan and Nishtha Soni... LinkedIn

## Exhibit D - Google Results for Arjun Vasan

Google search results for "arjun vasan cerritos".

Search filters: AI Mode, All, Images, News, Videos, Short videos, Maps, More, Tools. Location filters: Within 1 mi, Open now, Online appointments, Top rated.

Results for Cerritos, CA - Choose area

1. LinkedIn: Arjun Vasan - Chief Technology Officer - VoiceBite AI  
Cerritos, California, United States · Chief Technology Officer · VoiceBite AI  
Chief Technology Officer at VoiceBite AI · Experience: VoiceBite AI · Location: Cerritos. View Arjun Vasan's profile on LinkedIn, a professional community ...

2. PacerMonitor: Arjun Vasan v. Checkmate.com Inc.  
Jan 28, 2025 — Arjun Vasan. 12615 193rd St Cerritos, CA 90703. Docket last updated: 11 hours ago.  
Sunday, March 30, 2025. 20, 20 notice Notice (Other) Tue 04/ ...

3. FastPeopleSearch.com: Arjun Vasan(40) Cerritos, CA (562)900-6541  
Arjun Vasan is 40 years old and was born in February of 1984. Currently Arjun lives at the address 12615 193rd St, Cerritos CA 90703. Arjun has lived at this ...

4. PacerMonitor: Arjun Vasan v. Checkmate.com Inc. et al  
Dec 23, 2024 — Checkmate.com Inc. Plaintiff. Arjun Vasan. 12615 193rd St Cerritos, CA 90703. Docket last updated: 03/30/2025 11:59 PM PDT. Thursday, January 30 ...

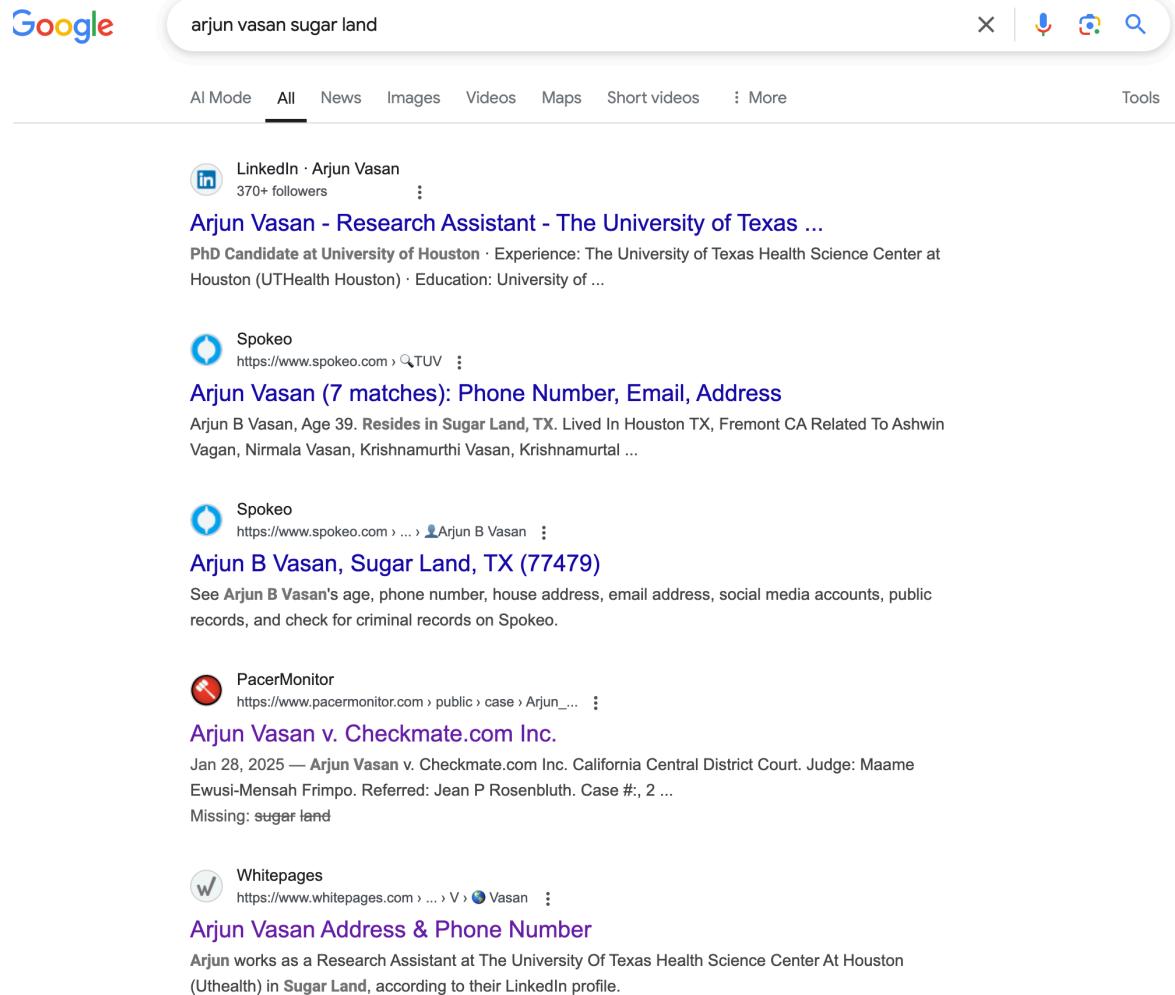
## Exhibit D - Google Results for Arjun Vasan

Google search results for "arjun vasan voicebite". The results are as follows:

- LinkedIn** <https://www.linkedin.com/in/arjun-vasan-5971422a6>  
**Arjun Vasan - Chief Technology Officer - VoiceBite AI**  
Cerritos, California, United States · Chief Technology Officer · VoiceBite AI  
Chief Technology Officer at VoiceBite AI · Experience: VoiceBite AI · Location: Cerritos. View Arjun Vasan's profile on LinkedIn, a professional community ...
- VoiceBite** <https://www.voicebite.ai/about>  
**About**  
At VoiceBite, we are driven by the mission to leverage AI to automate the restaurant ordering process with a better than human experience.
- LinkedIn · Arjun Vasan** <https://www.linkedin.com/in/arjun-vasan-6669448764>  
**Arjun Vasan - Checkmate**  
San Francisco Bay Area · Checkmate  
Experience: Checkmate · Education: Y Combinator · Location: San Francisco Bay Area · 500+ connections on LinkedIn. View Arjun Vasan's profile on LinkedIn, ...
- Success.ai.** <https://www.success.ai/arjun-vasan-6669448764>  
**Arjun Vasan - Founder, CTO and Chairman**  
Get Arjun Vasan's latest contact information, including their email address at arj@voicebite.ai and phone number +1-234-564-4066.
- SuperAGI** <https://sales.superagi.com/contact/arjun-vasan>  
**Arjun Vasan Research by SuperAGI**  
Leveraging his deep technical knowledge and entrepreneurial mindset, Arjun also serves as the Founder and Chief Technology Officer of VoiceBite AI, a pioneering ...

v.google.com/search?num=10&sca\_esv=edec2e4b4572a4c0&sxsrf=AHFn8zqfV0vfb\_UA-d-4qvFxYndK9ZrteQ:1744145311973&q=arjun+vasan+voicebite&udm=2&fb=ABzOT\_CWdhQL

## Exhibit D - Google Results for Arjun Vasan



Google search results for "arjun vasan sugar land". The search bar shows the query. The results are as follows:

- LinkedIn · Arjun Vasan**  
370+ followers [...](#)  
**Arjun Vasan - Research Assistant - The University of Texas ...**  
PhD Candidate at University of Houston · Experience: The University of Texas Health Science Center at Houston (UTHealth Houston) · Education: University of ...
- Spokeo**  
<https://www.spokeo.com> [...](#) [...](#) [...](#)  
**Arjun Vasan (7 matches): Phone Number, Email, Address**  
Arjun B Vasan, Age 39. Resides in Sugar Land, TX. Lived In Houston TX, Fremont CA Related To Ashwin Vagan, Nirmala Vasan, Krishnamurthi Vasan, Krishnamurtal ...
- Spokeo**  
<https://www.spokeo.com> [...](#) [...](#) [...](#)  
**Arjun B Vasan, Sugar Land, TX (77479)**  
See Arjun B Vasan's age, phone number, house address, email address, social media accounts, public records, and check for criminal records on Spokeo.
- PacerMonitor**  
<https://www.pacermonitor.com> [...](#) [...](#) [...](#) [...](#)  
**Arjun Vasan v. Checkmate.com Inc.**  
Jan 28, 2025 — Arjun Vasan v. Checkmate.com Inc. California Central District Court. Judge: Maame Ewusi-Mensah Frimpo. Referred: Jean P Rosenbluth. Case #., 2 ...  
Missing: sugar land
- Whitepages**  
<https://www.whitepages.com> [...](#) [...](#) [...](#) [...](#)  
**Arjun Vasan Address & Phone Number**  
Arjun works as a Research Assistant at The University Of Texas Health Science Center At Houston (Uthealth) in Sugar Land, according to their LinkedIn profile.